

# MEMORANDUM

IMFR  
Agenda Item No. 20

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**TO:** Honorable Chairman Joe A. Martinez  
and Members, Board of County Commissioners

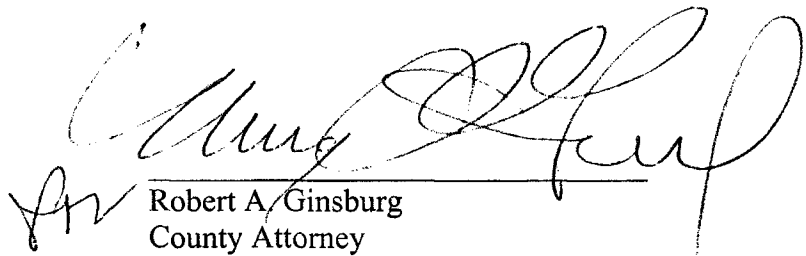
**DATE:** September 15, 2005

**FROM:** Robert A. Ginsburg  
County Attorney

**SUBJECT:** Ordinance repealing  
Section 2-11.17 of the  
Code relating to  
residency requirements

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The accompanying ordinance was prepared and placed on the agenda at the request of Commissioner Sally A. Heyman, Commissioner Jose "Pepe" Diaz, Commissioner Natacha Seijas and Commissioner Katy Sorenson.

  
Robert A. Ginsburg  
County Attorney

RAG/bw

# Memorandum



**Date:**

**To:** Honorable Chairman Joe A. Martinez  
and Members, Board of County Commissioners

**From:** George M. Burgess  
County Manager

A large, stylized handwritten signature in black ink, likely belonging to George M. Burgess, written over the printed name.

**Subject:** Ordinance repealing Section 2-11.17 of the Code of Miami-Dade County; setting forth residency requirements for Miami-Dade County Employees

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This ordinance repealing Section 2-11.17 of the Code of Miami-Dade County setting forth residency requirements for Miami-Dade County employees will have no fiscal impact to Miami-Dade County.

The ordinance eliminates the requirement that an employee must reside in Miami-Dade County. It further creates the potential of attracting a larger, more competitive applicant pool.

A handwritten signature in black ink, appearing to read "Alena T. Hndal", written over a horizontal line.  
Assistant County Manager

fiscal05805



# MEMORANDUM

(Revised)

**TO:** Honorable Chairman Joe A. Martinez  
and Members, Board of County Commissioners

**DATE:**

**FROM:** Robert A. Ginsburg  
County Attorney

**SUBJECT:** Agenda Item No.

Please note any items checked.

- ☐ "4-Day Rule" ("3-Day Rule" for committees) applicable if raised
- ☐ 6 weeks required between first reading and public hearing
- ☐ 4 weeks notification to municipal officials required prior to public hearing
- ☐ Decreases revenues or increases expenditures without balancing budget
- ☐ Budget required .
- ☐ Statement of fiscal impact required
- ☐ Bid waiver requiring County Manager's written recommendation
- ☐ Ordinance creating a new board requires detailed County Manager's report for public hearing
- ☐ Housekeeping item (no policy decision required)
- ☐ No committee review

Approved \_\_\_\_\_ Mayor

Agenda Item No. 4(O)

Veto \_\_\_\_\_

Override \_\_\_\_\_

ORDINANCE NO. \_\_\_\_\_

ORDINANCE REPEALING SECTION 2-11.17 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA, SETTING FORTH RESIDENCY REQUIREMENTS FOR MIAMI-DADE COUNTY EMPLOYEES; PROVIDING SEVERABILITY, INCLUSION IN THE CODE AND AN EFFECTIVE DATE

**BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA:**

Section 1. Section 2-11.17 of the Code of Miami-Dade County, Florida, as amended by Ordinance No. 05-88, is hereby repealed in its entirety.

**Sec. 2-11.17. ~~[[Residency condition for new employees.]]~~  
>>Reserved<<**

~~[[1. As of the effective date of this section, no person shall be newly employed by Miami Dade County or any of its authorities, agencies or instrumentalities unless resident in Miami Dade County or unless prepared to sign a covenant that he or she will move to Miami Dade County within six (6) months of employment by the County. Newly hired employees subject to a probationary period shall sign a covenant that he or she will move to Miami Dade County within three (3) months of completing their prescribed probationary period.~~

~~2. All employees of Miami Dade County hired after the effective date of this section shall maintain their domicile and principal place of residence within the corporate limits of Miami Dade County during the period of their employment with Miami Dade County.~~

~~3. Any employee of Miami Dade County hired after the effective date of this section that does not at all times during such employment maintain his or her domicile and principal place of residence in Miami Dade County may be dismissed from County service.~~

~~4. This provision shall not be construed to deprive any employee of rights provided by a collective bargaining agreement.~~

~~5. The County Manager is authorized to waive the residency requirements for humanitarian reasons. Quarterly, the County Manager shall submit to the County Commission a list of waivers granted and the reasons for said waivers.~~

~~6. The Building Department is authorized to hire plans examiners and building inspectors in all trades who reside in Broward County. New employees in these job classifications will not be required to move to Miami Dade County. ]]~~

Section 2. If any section, subsection, sentence, clause or provision of this ordinance is held invalid, the remainder of this ordinance shall not be affected by such invalidity.

Section 3. It is the intention of the Board of County Commissioners, and it is hereby ordained that the provisions of this ordinance, including any sunset provision, shall become and be made a part of the Code of Miami-Dade County, Florida. The sections of this ordinance may be renumbered or relettered to accomplish such intention, and the word "ordinance" may be changed to "section," "article," or other appropriate word.

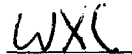
Section 4. This ordinance shall become effective ten (10) days after the date of enactment unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

PASSED AND ADOPTED:

Approved by County Attorney as  
to form and legal sufficiency:



Prepared by:



William X. Candela

Sponsored by Commissioner Sally A. Heyman,  
Commissioner Jose "Pepe" Diaz,  
Commissioner Natacha Seijas and  
Commissioner Katy Sorenson

